

REMARKS

This Submission is being filed under 37 C.F.R. § 1.114 in connection with the enclosed Request for Continuing Examination (RCE). The enclosed RCE is responsive to the Final Office Action dated October 27, 2008 in which claims 9 – 18 were rejected under 35 U.S.C. 102(e) as allegedly being anticipated by U.S. Patent No. 7,017,700 (“Frimberger”).

Applicants would first like to thank the Examiner for granting the telephonic interview on January 6, 2009, and for considering the previously-presented proposed amendments.

In response to the Final Office Action, and based on the Examiner’s indication that the previously-presented proposed amendments would overcome Frimberger, this Submission amends independent claims 9, 17 and 18. Claims 1 – 8 were previously canceled, and claims 9 – 18 remain pending. Reconsideration in light of the remarks and amendments herein is respectfully requested.

Specifically, independent claim 9 has been amended to clarify that the recited “triggering decision” corresponds to “an affirmative decision to deploy the vehicle safety device.” In addition, claim 9 has been amended to clarify that the recited “plausibility checking stage” occurs “after the affirmative decision to deploy the vehicle safety device has been made.” Corresponding amendments have been made to independent claims 17 and 18.

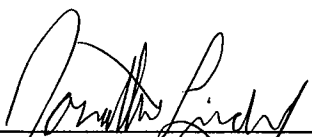
Applicants submit that Frimberger fails to teach or disclosure the arrangement of the independent claims, as amended. Applicants further submit that the dependent claims are similarly allowable at least by virtue of their dependency on allowable base claims. As such, all pending claims are now in condition for allowance and early action is respectfully requested. If there are any questions regarding this response or the application in general, a telephone call to

the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned. If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket No. 095309.56241US).

Respectfully submitted,

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